



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
David J. COOPERBERG et al. ) Group Art Unit: 1763  
Application No.: 10/024,208 ) Examiner: L. L. Alejandro Mulero  
Filed: December 21, 2001 ) Confirmation No.: 9076  
For: TUNABLE MULTI-ZONE GAS )  
INJECTION SYSTEM )



RECEIVED  
JUN 25 2003  
GROUP 1700

**THIRD**  
**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit a copy of the Written Opinion dated May 30, 2003 for a corresponding application. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents not previously cited is enclosed.

Written Opinion for PCT/US02/32057 dated May 30, 2003.

I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than 30 (thirty) days prior to the filing of this Information Disclosure Statement.

To assist the Examiner, the document is listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 23, 2003

By: Peter K. Skiff  
Peter K. Skiff  
Registration No. 31, 917

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

# PATENT COOPERATION TREATY

JWP/PKS

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT JUN 3 2003

To:

PETERSON, James, W.  
Burns Doane Swecker & Mathis, LLP  
P.O. Box 1404  
Alexandria, VA 22313-1404  
ETATS-UNIS D'AMERIQUE

WRITTEN OPINION

(PCT Rule 66)

Date of mailing  
(day/month/year) 30/05/2003

Applicant's or agent's file reference  
015290-641

REPLY DUE  
within 2 / 00 months/days  
from the above date of mailing

International application No.

PCT/US 02/ 32057 ✓

International filing date (day/month/year)

09/10/2002

Priority date (day/month/year)

15/10/2001

International Patent Classification (IPC) or both national classification and IPC

H01J37/32

Applicant

LAM RESEARCH CORPORATION et al.

1. This written opinion is the first drawn up by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3.  
For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.  
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 15/02/2004

Name and mailing address of the IPEA/



European Patent Office  
D-80298 Munich  
Tel. (+ 49-89) 2399-0, Tx: 523656 epmu d  
Fax: (+ 49-89) 2399-4465

Authorized officer

Examiner

Formalities officer  
(incl. extension of time limits)  
Tel. (+ 49-89) 2399 2828



Form PCT/IPEA/408 (cover sheet) (march 2002)

Resp. to WO due 7/30/03

"DOCKETED"

Handwritten signature/initials

all  
6/10/03

**I. Basis of the opinion**

1. The basis of this written opinion is the application as originally filed.

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability**

1. In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claims references).
2. If amendments are filed, the applicant should comply with the requirements of Rule 66.8 PCT and indicate the basis of the amendments in the documents of the application as originally filed (Article 34 (2) (b) PCT) otherwise these amendments may not be taken into consideration for the establishment of the international preliminary examination report. The attention of the applicant is drawn to the fact that if the application contains an unnecessary plurality of independent claims, no examination of any of the claims will be carried out.

NB: Should the applicant decide to request detailed substantive examination, then an international preliminary examination report will normally be established directly. Exceptionally the examiner may draw up a second written opinion, should this be explicitly requested.